

EXHIBIT "J"

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

REID I. TAMAYOSE and)

NADINE K. TAMAYOSE,)

Plaintiffs,)

vs.) CASE NO. CV10 00185

OPTION ONE MORTGAGE) JMS BMK

CORPORATION, its successors)

and assigns; H&R BLOCK)

BANK; RESIDENTIAL CREDIT) DEPOSITION OF

SOLUTIONS, INC.; and DOES) REID I. TAMAYOSE

1-30,) July 21, 2011

Defendants.)

)

RESIDENTIAL CREDIT)

SOLUTIONS, INC.,)

Third-Party)

Plaintiff,)

vs.)

OLD REPUBLIC TITLE &)

ESCROW OF HAWAII, LTD.,)

Third-Party)

Defendant.)

)

1 DEPOSITION OF REID I. TAMAYOSE,
2 Taken on behalf of Defendants Option One Mortgage
3 Corporation, now known as Sand Canyon Corporation,
4 and H&R Block Bank at American Savings Bank Tower,
5 1001 Bishop Street, 20th Floor, Honolulu, Hawaii
6 96813, commencing at 9:04 a.m., on July 21, 2011,
7 pursuant to Notice.

8 BEFORE: SUE M. FLINT, RPR, CSR 274
9 Notary Public, State of Hawaii

10
11 APPEARANCES:

12
13 For Plaintiffs: BENJAMIN BROWER, ESQ.
14 Dubin Law Offices
15 55 Merchant Street
16 Suite 3100
17 Honolulu, Hawaii 96813

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19 For Defendants Option One Mortgage Corporation, now
20 known as Sand Canyon Corporation and H&R Block Bank:

21 SHELLIE K. PARK-HOAPILI, ESQ.
22 Alston Hunt Floyd & Ing
23 American Savings Bank Tower
24 1001 Bishop Street, Suite 1800
25 Honolulu, Hawaii 96813

1 Appearances (continued):

2

3 For Defendant Residential Credit Solutions:

4 KARYN DOI, ESQ.

5 LEU & OKUDA

6 The Merchant House

7 222 Merchant Street

8 Main Floor

9 Honolulu, Hawaii 96813

10

11 For Defendant Old Republic Title & Escrow of Hawaii,

12 Ltd.:

13 KEVIN W. HERRING, ESQ.

14 Ashford & Wriston

15 Alii Place, Suite 1400

16 1099 Alakea Street

17 Honolulu, Hawaii 96813

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1 Q. Did anyone tell you not to read the
2 documents before you initialed?

3 A. You know what? I don't recall.

4 Q. This might help you recall. I'm going to
5 hand you what the court reporter will mark as
6 Exhibit 1.

7 (Exhibit 1 marked for identification.)

8 BY MS. PARK-HOAPILI:

9 Q. Can you take a quick look at Exhibit 1?

10 A. I thought you said it was 1.25. It's
11 1,025,000 isn't it?

12 Q. Maybe I misspoke.

13 A. I believe you did.

14 Q. Okay. You're done reviewing it?

15 A. What would you like me to review on this;
16 everything?

17 Q. Do you recognize this document?

18 A. I recognize my name on it, but I signed a
19 lot of documents and I don't particularly remember
20 this personal document.

21 Q. Okay. If I tell you that this is the
22 settlement statement for the subject loan, does that
23 look correct to you?

24 A. I believe so.

25 Q. If you look on the left-hand column, where

U - Department of Housing and Urban Development
OMB No. 2502-0265

A. Settlement Statement



OLD REPUBLIC TITLE & ESCROW OF HAWAII, LTD.

866-235-1220

B. TYPE OF LOAN

1. <input type="checkbox"/> FHA 2. <input type="checkbox"/> FmHA 3. <input checked="" type="checkbox"/> Convy. Unlns.	6. File Number 6928000677-NT	7. Loan Number 111002709	8. Mortgage Insurance Case Number
4. <input type="checkbox"/> VA 5. <input type="checkbox"/> Convy. Ins.			

C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. Name and Address of Borrower Reid L. Tamayose and Nadine K. Tamayose 6789 B Kuamoo Road Kapaa, HI 96746	E. Name and Address of Seller REFINANCE	F. Name and Address of Lender Option One Mortgage Corporation Pauahi Tower 1001 Bishop Street Honolulu, HI 96813-3691
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G. Property Location 6789 B Kuamoo Road Kapaa, HI 96746	H. Settlement Agent Old Republic Title & Escrow of Hawaii, Ltd.	I. Settlement Date 11/30/2006
	LEGAL/FINAL HUD 1	Place of Settlement 4-831 Kuhio Highway, Suite 415 Kapaa, HI 96746

J. SUMMARY OF BORROWER'S TRANSACTION		K. SUMMARY OF SELLER'S TRANSACTION	
100. GROSS AMOUNT DUE FROM BORROWER		400. GROSS AMOUNT DUE TO SELLER	
101. Contract sales price		401. Contract sales price	
102. Personal property		402. Personal property	
103. Settlement charges to borrower (line 100)	18,335.46	403.	
104. Additional Proceeds to First Hawaiian Title	173,610.51	404.	
105. PAYOFF EXISTING LOAN	620,983.64	405.	
PAYOUT EXISTING LOAN	154,101.95		
R.E. Tax Payment ((4) 4-2-019-027-0000) (POC)			

Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106. City/town taxes	to	406. City/town taxes	to
107. County taxes	to	407. County taxes	to
108. Assessments	to	408. Assessments	to
109.		409.	
110.		410.	
111.		411.	
112.		412.	
113.		413.	
114.		414.	

120. GROSS AMOUNT DUE FROM BORROWER	965,031.56	420. GROSS AMOUNT DUE TO SELLER	
200. AMOUNTS PAID BY OR IN BEHALF OF BORROWER		500. REDUCTIONS IN AMOUNT DUE TO SELLER	
201. Deposit or earnest money		501. Excess deposit (see Instructions)	
202. Principal amount of new loan 1st	1,025,000.00	502. Settlement charges to seller (line 1400)	
		503. Existing loan(s) taken subject to	
		504.	
		505.	
		506.	
		507.	
		508.	
		509.	

Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City/town taxes	to	510. City/town taxes	to
211. County taxes	to	511. County taxes	to
212. Assessments	to	512. Assessments	to
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	

220. TOTAL PAID BY/FOR BORROWER	1,025,000.00	520. TOTAL REDUCTION AMOUNT DUE SELLER	
300. CASH AT SETTLEMENT FROM/TO BORROWER		600. CASH AT SETTLEMENT TO/FROM SELLER	
301. Gross amount due from borrower (line 120)	965,031.56	601. Gross amount due to seller (line 420)	

302. Less amounts paid by/for borrower (line 220)	(1,025,000.00)	602. Less reductions in amount due seller (line 520)	()
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303. CASH <input type="checkbox"/> FROM <input checked="" type="checkbox"/> TO BORROWER	59,968.44	603. CASH <input type="checkbox"/> TO <input type="checkbox"/> FROM SELLER	
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Section 5 of the Real Estate Settlement Procedures Act (RESPA) requires that HUD develop and prescribe this standard form to be used at the time of loan settlement to provide full disclosure of all charges imposed upon the borrower and seller. These are third party disclosures that are designed to provide the borrower with pertinent information during the settlement process in order to be a better shopper. The Public Reporting Burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. The information requested does not lend itself to confidentiality.

HUD-1 (3-86)
RESPA, HB 4305.2

NT/nt

CERTIFIED TO BE A TRUE AND
CORRECT COPY OF ORIGINAL

EXH / DATE 7/21/11
WITNESS Tamayose
SUE M. FLINT

Escrow No.: 6828000677-NT

L. SETTLEMENT CHARGES

700. Total sales/broker's commission based on price \$ _____ @ _____ %	Paid From Borrower's Funds At Settlement	Paid From Seller's Funds At Settlement
Division of commission (line 700) as follows:		
701.		
702.		
703. Commission disbursed at settlement		
704.		
800. ITEMS PAYABLE IN CONNECTION WITH LOAN		
801. Loan Origination Fee		
802. Loan Discount		
803. Appraisal Fee to Dennis Nakahara	416.00	
804. Credit Report to Option One Mortgage Corporation	10.58	
805. Lender's Inspection Fee		
806. Mortgage Insurance Application Fee		
807. Assumption Fee		
808. Broker fee to Unlimited Mortgages, LLC	10,250.00	
809. Underwriting fee to Option One Mortgage Corporation	850.00	
810. Tax Service Fee to Premier Property Tax Services LLC	65.00	
811. Funding fee to Option One Mortgage Corporation	50.00	
812. Flood Certification Fee to Aculink Mortgage Solutions	15.00	
900. ITEMS REQUIRED BY LENDER TO BE PAID IN ADVANCE		
901. Interest, 11/29/06 to 12/01/06, 2 days @ \$200.73	401.46	
903. Hazard Insurance premium for 12 mos. to First Fire & Casualty Insurance CO	221.00	
1000. RESERVES DEPOSITED WITH LENDER		
1001. Hazard Insurance 9 mo. @ \$184.2500/mo.	1,650.25	
1003. County Property Taxes 6 mo. @ \$267.1700/mo.	1,603.02	
1008. Aggregate Accounting Adjustment	-552.77	
1100. TITLE CHARGES		
1101. Settlement or closing fee to Old Republic Title & Escrow of Hawaii, Ltd.	520.83	
1106. Notary Fees to Jasmine Leong	41.67	
1108. Title Insurance to Old Republic Title & Escrow of Hawaii, Ltd. (includes above items numbers:) 1102, 1103, 1108, Endorsements and Additional Title Fees, If any	2,501.05	
1109. Lender's Coverage Liability Amount \$1,025,000.00 Premium \$2,407.31		
1110.		
1111. Recon Tracking Fee	52.08	
1200. GOVERNMENT RECORDING AND TRANSFER CHARGES		
1201. Recording fees: Deed \$ Mortgage \$ 25.00 Releases \$ 25.00	50.00	
1202. City/county tax/stamps: Deed \$ Mortgage \$		
1203. State tax/stamps: Deed \$ Mortgage \$		
1204.		
1205.		
1300. ADDITIONAL SETTLEMENT CHARGES		
1301.		
1302.		
1303. Wire Service Fee to Old Republic Title & Escrow of Hawaii, Ltd.	26.04	
1304. Reproduction/Signing Fee to Old Republic Title & Escrow of Hawaii, Ltd.	104.17	
1305. Wire Service Fee to Old Republic Title & Escrow of Hawaii, Ltd.	52.08	
1306.		
1307.		
1308.		
1309.		
1310.		
1400. TOTAL SETTLEMENT CHARGES (enter on lines 103, Section J and 502, Section K)	18,335.46	0.00

To the best of my knowledge, the HUD-1 Settlement Statement which I have prepared is a true and accurate account of the funds which were received and have been or will be disbursed by the undersigned as part of the settlement of the transaction.

[Signature]
Escrow Officer Date
11/30/2006

Escrow No.: 6828000677-NT
Loan No.: 111002709

Attachment to HUD Statement

===== Continuation from Page1 =====

BUYER ADJUSTMENTS

SELLER ADJUSTMENTS

AMOUNTS PAID BY/IN BEHALF OF BORROWER

DEPOSIT OR EARNEST MONEY ~ LINE 201

PRINCIPAL AMOUNT OF NEW LOAN(S) ~ LINE 202

Option One Mortgage Corporation
Pauahi Tower 1001 Bishop Street
Honolulu, HI 96813-3691
Loan No.: 111002709
Position: 1
Principal amount

1,025,000.00



OLD T PUBLIC TITLE & ESCROW F HAWAII, LTD.

4-831 Kuhio Highway, Suite 415 • Kailua HI • 96740 • (808) 821-6808 • FAX (808) 821-6814

Date: November 30, 2006
Escrow No.: 6828000677-NT
Escrow Officer: Nicole Takenaka
Closing Date: 11/30/2006

Property: 6789 B Kuamoo Road
Kapaa, HI 96746

Additional Charges Attachment

NT/nt